

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

GERARDO HERNANDEZ,

Plaintiff,

vs.

WING SING CHONG COMPANY, INC., ET AL.,

Defendants.

CASE NO. 19-cv-03875-YGR

**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION;
GRANTING PLAINTIFF'S MOTION FOR
ENTRY OF DEFAULT**

Re: Dkt. Nos. 18, 32

The Court has carefully reviewed Magistrate Judge Nathanael Cousins' Report and Recommendation (Dkt. No. 32 ("Report")) recommending that the Court enter default judgment in favor of plaintiff Gerardo Hernandez and against defendant Intelliz, Inc. and order the injunctive relief and statutory damages sought. No party filed an objection.

The Court finds the Report correct, well-reasoned, and thorough, and adopts it in every respect. Accordingly, and for the reasons set forth in the Report, the Court hereby **ORDERS** as follows:

- plaintiff's motion for entry of default judgment is **GRANTED**;
- plaintiff is entitled to the following relief:
 - Damages: \$4,000 in statutory damages.
 - Injunctive Relief: Intelliz, Inc. shall (1) Maintain the facilities of the Edible Arrangements store at 2740 Middlefield Road, Palo Alto, California, in an accessible condition through the end of its lease; and (2) Follow the new policy of property owner Wing Sing Chong Co., Inc., that tenants of the property will not prop open their front doors during business hours because doing so blocks the accessible path of travel through the end of the lease. If tenants desire to prop open their doors during business hours, they must rehang the doors to open inward.

1 The Court further retains jurisdiction to enforce this relief through the end of Intelliz, Inc.'s
2 lease of the subject property.

3 Judgment shall be entered by separate order.

4 This Order terminates Docket Numbers 18 and 32.

5 **IT IS SO ORDERED.**

6
7 Dated: May 15, 2020


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

United States District Court
Northern District of California